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Dated: September 6, 2006

Signature: Jeffrey S. Sharp

(Jeffrey S. Sharp)

Docket No.: 27656/38365A  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re Patent Application of:  
Ernst Hafen et al.

Application No.: 10/509,558

Confirmation No.: 1027

Filed: March 25, 2005

Art Unit: 1649

For: GROWTH REGULATING PROTEINS

Examiner: Gregory S. Emch Ph.D.

**AMENDMENT IN RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT  
UNDER 37 CFR 1.121**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

- Dear Sir:

**INTRODUCTORY COMMENTS**

In response to the Notice of Non-Complaint Amendment mailed August 28, 2006, Applicant re-submits this Amendment to present a complete listing of the claims, including the withdrawn claims. This Amendment was submitted on August 15, 2006 in response to the non-final Office Action of March 17, 2006, in which all elected claims (6-12) were rejected under 35 U.S.C. §112 (first paragraph).

Please amend the above-identified U.S. patent application as indicated below. Reconsideration of the claims and withdrawal of the outstanding rejections are requested in light of the following remarks. This response is timely filed within 30 days from the August 28, 2006 mailing date of the Notice of Non-Compliant Amendment.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 6 of this paper.